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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/647,378	11/08/2000	Itaru Kawakami	KOIK-T0185	7333

7590

02/07/2006

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EXAMINER

CALLAHAN, PAUL E

ART UNIT

PAPER NUMBER

2137

DATE MAILED: 02/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/647,378	<b>Applicant(s)</b> KAWAKAMI ET AL.	
	<b>Examiner</b> Paul Callahan	<b>Art Unit</b> 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4,9,14,20 and 22-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,25 and 27 is/are rejected.
- 7) ☒ Claim(s) 4,9,14,22-24 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Response to Amendment***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action, when taken together with the changes made to the language of the claims via the Amendment filed 12-20-2005, is persuasive in overcoming the rejections of the claims as found in the previous Office Action, therefore, the finality of that action is withdrawn.

2. Claims 1-35 were pending in this application at the time of the previous Office Action, By the latest amendment claims 5-8, 11-13, 15-19, 21, and 28-35 have been cancelled. Therefore claims 1-4, 9, 10, 14, 20, and 22-27 remain pending and have been examined.

3. The indicated allowability of claims 1-3, 25 and 27 is withdrawn in view of the newly discovered reference(s) to Chandra et al, US 4,903,296, and Heer, US 5,999,629. Rejections based on the newly cited reference(s) follow.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Chandra.

Chandra teaches an information processing apparatus comprising: a content data storage area (abstract); a first controlling means for controlling reading/writing of content data from/to the content data storage area (col. 10 lines 5-35); a second control means independent of the first control means for decrypting and executing an encrypted program supplied from the first control means, and (col. 8 lines 50-67, col. 9 lines 13-40, col. 15 lines 60-67, fig. 11 item 200, col. 4 lines 20-40), to supply the result of the program execution to the first control means;

the first control means controlling the reading/writing from/to the content data storage area based on the program execution result supplied from the second control means (col. 8 lines 50-67, col. 9 lines 13-40, col. 15 lines 60-67, fig. 11 item 200, col. 4 lines 20-40).

6. Claims 25 and 27 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Heer et al.

As for claim 25: Heer teaches an information processing method (abstract), comprising; transmitting and receiving data to and from other apparatus (abstract); holding a predetermined lock key and save key (col. 3 lines 60-67, col. 4 lines 1-67; col. 5 lines 1-67, col. 6 lines 1-40), using the lock key when transmitting and receiving data to and from the other apparatus to make a mutual authentication with the other apparatus to generate a communication key (col. 3 lines 60-67, col. 4 lines 1-67; col. 5

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lines 1-67, col. 6 lines 1-40); encrypting the communication key with the save key (col. 3 lines 60-67, col. 4 lines 1-67; col. 5 lines 1-67, col. 6 lines 1-40) ; and storing the data received at the data transmitting and receiving step and having been encrypted with the communication key correspondingly to the communication key encrypted at the encrypting step (col. 3 lines 60-67, col. 4 lines 1-67; col. 5 lines 1-67, col. 6 lines 1-40).

As for claim 27, the claim is directed to the computer program product embodied in a memory medium that causes a computing device to carry out the method of claim 25. Therefore it is rejected on the same basis as is claim 25.

### ***Claim Rejections - 35 USC § 103***

7. following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chandra.

As for Claim 2, Chandra teaches the apparatus as set forth in Claim 1, wherein: the content data storage area stores management information for managing the content data stored therein (col. 3 lines 1-10); Chandra does not explicitly teach a step where the first control means controls the second control means program to execute a

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predetermined computation based on the management information. However, Official Notice may be taken that such a step is old and well known in the art, for example in the distribution of copyright controlled media. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Chandra. it would have been desirable to do so as an additional security measure.

As for claim 3, Chandra teaches the apparatus as set forth in Claim 1, wherein: the first control means is data processor (col. 10 lines 5-35), and the second control means is a data processor incorporated in a semiconductor IC other than the data processor of the first control means (col. 8 lines 50-67). Chandra does not explicitly teach the content data storage area is a hard disc, however Chandra does disclose storage of the content data on magnetic media such as floppy disks, however Chandra does teach storage and production of backup copies of content data in col. 4 lines 31-40 which in many applications allows storage on a hard disk. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate this feature into the system of Chandra. It would have been desirable to do so as this would allow for secure storage within the host computer system of content data.

***Allowable Subject Matter***

9. Claims 4, 9, 14, 20, 22, 24, and 26 are allowed.

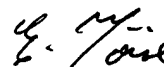
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**Conclusion**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-3869. The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Emmanuel Moise, can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is: (571) 273-8300.

1-29-06

  
EMMANUEL L. MOISE  
SUPERVISORY PATENT EXAMINER